

CHAPTER 7-03.1-06 MANUFACTURING FARM INSPECTION REPORTS

Section

7-03.1-06-01	Health of Herd
7-03.1-06-02	Milk Offered for Sale Shall be Wholesome and Unadulterated
7-03.1-06-03	Water Supply
7-03.1-06-04	Milk Truck Approach
7-03.1-06-05	Sewage Disposal
7-03.1-06-06	Milking Facility Requirements
7-03.1-06-07	Utensils and Equipment [Repealed]
7-03.1-06-07.1	Pesticides
7-03.1-06-08	Bulk Milk
7-03.1-06-09	Milking Area [Repealed]
7-03.1-06-10	Yard, Loafing Area, or Premises
7-03.1-06-11	Milking Procedures
7-03.1-06-12	Inspection Procedures and Enforcement - Farm Inspection

7-03.1-06-01. Health of herd. The milk offered for sale must be obtained from healthy cows.

History: Effective August 1, 1986.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-02. Milk offered for sale must be wholesome and unadulterated.

1. Milk offered for sale must meet minimum United States department of agriculture standards.
2. A producer's raw milk shall be under warning when:
 - a. Monthly bacteria counts by the direct microscopic clump cell count or standard plate count exceed one million. Milk under warning because of exceeding a one million bacteria count on two successive monthly tests, must be rejected from the market for a minimum of one milking.
 - b. Two out of the last four monthly somatic cell counts exceed one million. Milk under warning because of somatic cell counts will result in a warning letter sent to the producer. No sooner than three days nor later than twenty-one days after the first warning letter, another sample must be taken and, if this test exceeds one million, the dairy commissioner shall reject the milk from the market. A producer will need three consecutive counts below the legal limit to regain full status.

- c. The sediment content exceeds one and five-tenths or equivalent by the mixed sample method; milk under warning because of sediment content must be resampled and tested between three and twenty-one days following notice of violation and if found to exceed one and fifty-hundredths milligrams by the mixed sampling method or equivalent must be rejected from the market.
 - d. The same inspection item has been debited consecutively on the last three dairy facility inspections, unless the farm score is ninety or above. Violations of the same inspection item on four consecutive facility inspections will result in action to suspend certification if score is below ninety, and maximum points are taken for each violation.
 - e. Reinstatement of certification status cannot be accomplished until conditions leading to the suspension have been corrected by evidence of either test results or a satisfactory inspection of the facility, as determined by the dairy commissioner.
3. Wholesomeness. Milk offered for sale must be tested monthly to determine sediment content. The sediment standard is:
- | | |
|-------|--|
| No. 1 | Not to exceed fifty-hundredths milligrams
or equivalent |
| No. 2 | Not to exceed one and fifty-hundredths
milligrams or equivalent |
- Note: All sediment tests must be by the mixed sample method, unless otherwise approved by the dairy commissioner.
4. Volume requirement. The volume of milk in the bulk tank after the first milking must reach the agitator to such a level that adequate agitation of the milk is possible. Failure to produce adequate volumes on the first milking will result in suspension of a producer's certification to sell raw milk.

History: Effective August 1, 1986; amended effective April 1, 1993; October 28, 1994.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27, 4-30-31

7-03.1-06-03. Water supply.

- 1. The dairy facility water supply must be properly located, protected, and operated and must be of ample supply and safe for the cleaning of utensils and equipment. Rural farm water supplies approved by the state department of health and consolidated laboratories are acceptable. Wells constructed in compliance with state board of water well contractors and tested every three years by an approved laboratory and found to be satisfactory are acceptable. Other water

supplies approved by the dairy commissioner and tested annually and found to be satisfactory are acceptable. All water sources must be tested following repairs or other disruptions to the water system and must be found satisfactory. All new water supplies to the dairy facilities must be in compliance with either the state department of health and consolidated laboratories requirements for rural water or the state board of water well contractors requirements for well construction.

2. Handwashing facilities, including soap, individual sanitary towels, and hot and cold water under pressure must be provided.

History: Effective August 1, 1986; amended effective April 1, 1993.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-04. Milk truck approach. The milk truck approach to the dairy facility must be such as to prevent excess mud and to allow easy access to the milkroom. Farm animals may not have free access to the milk loading area. The hoseport slab and milk loading area must be kept clean.

History: Effective August 1, 1986; amended effective April 1, 1993.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-05. Sewage disposal. House, milkhouse, or milkroom and toilet wastes must be disposed of in a manner that will not pollute the soil surface, contaminate any water supply, or be exposed to insects.

History: Effective August 1, 1986.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-06. Milking facility requirements. All milking facilities selling manufacturing grade milk must comply with the current United States department of agriculture recommended guidelines for farms.

History: Effective August 1, 1986; amended effective April 1, 1993.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-07. Utensils and equipment. Repealed effective April 1, 1993.

7-03.1-06-07.1. Pesticides. Only pesticides approved for use in the milkroom with an environmental protection agency number may be stored in the milkroom and when used must be used in accordance with label instructions so as to prevent contamination of the milk. Antibiotics and other medicinals may

be stored in the milkroom if stored in a safe manner to not contaminate the milk supply or milk contact equipment. No automatic pesticide dispensers are allowed.

History: Effective April 1, 1993.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-08. Bulk milk.

1. The tank will be equipped with an approved milk measuring device, and a conversion table to determine pounds [kilograms] will be in the milkroom. Milk above forty-five degrees Fahrenheit [7.22 degrees Celsius] may not be offered for sale or transported off of farms.
2. A platform or slab constructed of concrete or other impervious material must be provided outside the milkhouse, properly centered under a suitable port opening in the wall for transferring milk from the bulk tank to the milk truck. On new construction, a minimum of six-foot by six-foot [1.83-meter by 1.83-meter] slab is required. The port opening must be closed when not in use.

History: Effective August 1, 1986; amended effective April 1, 1993.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-09. Milking area. Repealed effective April 1, 1993.

7-03.1-06-10. Yard, loafing area, or premises. The facility must be kept clean. The manure must be removed daily and stored to prevent access to cows. The yard or loafing area must be of ample size to prevent overcrowding, must be drained to prevent forming of standing water pools, and must be kept clean. Manure must be spread daily or stored in an approved manner. Stacked or piled manure and manure packs in housing facilities must be spread prior to fly season each year.

History: Effective August 1, 1986; amended effective April 1, 1993.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-11. Milking procedures. All milking procedures must comply with current United States department of agriculture recommended guidelines.

History: Effective August 1, 1986; amended effective April 1, 1993.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27

7-03.1-06-12. Inspection procedures and enforcement - Farm inspection.

1. Farms scoring ninety or higher on farm inspections must be inspected at a frequency of every four to six months.
2. Farms scoring between eighty-nine and eighty must be inspected at a frequency of every sixty to one hundred twenty days.
3. Farms under warning or with equipment cleaning or cooling problems will be inspected within thirty days.
4. Items for which the dairy commissioner has established a compliance deadline are exempted from further action until the deadline has expired.

History: Effective August 1, 1986; amended effective April 1, 1993.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-27, 4-30-28